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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

KRISTAL NUCCI and KELLY SHAW,) Case No.: 19-cv-01434-LHK
individually and on behalf of all others)
similarly situated and the California)
Labor & Workforce Development)
Agency, and ANA GOSWICK,) **JOINT SETTLEMENT STATUS REPORT –**
individually and on behalf of all others) **SETTLEMENT REACHED – AND JOINT**
similarly situated,) **CASE MANAGEMENT STATEMENT**
Plaintiffs,) The Honorable Lucy H. Koh
v.) Date: October 6, 2021
RITE AID CORPORATION,) Time: 2:00 p.m.
THRIFTY PAYLESS, INC. and DOES) Courtroom: 8, 4th Floor, San Jose
1-10, inclusive,)
Defendants.)

**JOINT SETTLEMENT STATUS REPORT – SETTLEMENT REACHED –
AND JOINT CASE MANAGEMENT STATEMENT**

1 Pursuant to Local Rule 16-10(d) and this Court's September 21, 2021, order (ECF No.
2 110), Plaintiffs Kristal Nucci, Kelly Shaw, and Ana Goswick ("Plaintiffs") and Defendants
3 Rite Aid Corporation and Thrifty Payless, Inc. ("Defendants") provide the following settlement
4 status and joint case management report in advance of the case management conference
5 scheduled in this matter for October 6, 2021 at 2:00 p.m.

6 **I. SETTLEMENT REACHED AT MEDIATION.**

7 The parties report that their mediation on September 30, 2021, with mediator Jeff Ross
8 was successful and they have reached an agreement to settle the case in its entirety.
9 Defendants' management and counsel have been involved in the process and approval of the
10 settlement; thus, this is not a mere agreement in principle. Rather, the parties anticipate having
11 a fully-executed class action settlement agreement within 10 business days and that Plaintiffs
12 will file their motion for preliminary approval by October 22, 2021.

13 **II. CASE MANAGEMEN CONFERENCE.**

14 In light of the settlement, the parties suggest that the Court vacate the October 6, 2021,
15 case management conference; however, the parties are prepared to appear and report further on
16 the settlement status or to receive any direction the Court might provide regarding the
17 settlement and pending pretrial and trial dates. Otherwise, the parties anticipate that their next
18 appearance before the Court would be on the motion for preliminary approval.

19
20 Respectfully submitted,

21
22 October 1, 2021



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24 /s/ Hallie Von Rock

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26 Hallie Von Rock
27 Attorneys for Plaintiffs

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**JOINT SETTLEMENT STATUS REPORT – SETTLEMENT REACHED –
AND JOINT CASE MANAGEMENT STATEMENT**

1 October 1, 2021

KLEIN, HOCKEL, IEZZA & PATEL P.C.

2 /s/ Thomas K. Hockel*

3 _____
4 Thomas K. Hockel
5 Attorneys for Defendants

6 *Pursuant to Local Rule 5-1(i), the filer attests that all signatories listed, and on whose behalf
7 the filing is submitted, concur in the filing's content and have authorized the filing.

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**JOINT SETTLEMENT STATUS REPORT – SETTLEMENT REACHED –
AND JOINT CASE MANAGEMENT STATEMENT**